

ONE HUNDRED FOURTH LEGISLATURE - SECOND SESSION - 2016
COMMITTEE STATEMENT
LB830

Hearing Date: Monday February 01, 2016
Committee On: Business and Labor
Introducer: Harr
One Liner: Change provisions relating to vacation leave for state employees

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:
Aye: 5 Senators Crawford, Ebke, Harr, Howard, Johnson
Nay:
Absent: 2 Senators Bloomfield, Chambers
Present Not Voting:

Verbal Testimony:

Proponents:

Burke Harr
Mike Marvin
Jerry Sonnek

Representing:

Introducer
NAPE/AFSCME Local 61
NAPE/AFSCME Local 61

Opponents:

Bo Botelho

Representing:

Nebraska Department of Administrative Services

Neutral:

Orron Hill

Representing:

Public Employees Retirement Board, Nebraska Public Employees Retirement Systems

Summary of purpose and/or changes:

LB 830 provides that if a state employee makes a reasonable written request to use his or her vacation leave before it is forfeited under the "use it or lose it" policy, and the request is denied, the employing agency must pay the employee the cash equivalent of the forfeited vacation leave that was requested and denied.

Explanation of amendments:

AM 2082 makes the following changes:

Sec. 1. incorporates LB 972 which allows service performed by an individual in a position which is designated a major, nontenured policymaking position to be included within the definition of employment under the Employment Security Law.

Sec. 2. makes three changes to LB 830 as originally introduced. First, references to "employees" are amended to "state employees" for consistency purposes throughout the section. Secondly, AM 2082 provides that such cash payment must be made within 30 days after the requested and denied leave is forfeited. Finally, AM 2082 clarifies that such cash payment will be considered compensation in state employees' defined contribution and cash benefit plans, but are not considered compensation for state employees' defined benefit plans. Those defined benefit plans include the Judges,

State Patrol and School Employees Retirement Plans. All of the plans are administered by the Public Employees Retirement Board.

Burke Harr, Chairperson